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10/551,099	09/28/2005	Atsushi Tanno	OGW-0391	1690

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EXAMINER	
FISCHER, JUSTIN R	

ART UNIT	PAPER NUMBER
1791	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/551,099	TANNO, ATSUSHI	
	Examiner	Art Unit	
	Justin R. Fischer	1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 May 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 8, 2009 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 2, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mama (JP 11-34610, of record) and further in view of Kojima (JP 58167203, of record).

Mama is directed to a pneumatic tire construction comprising at least two belt plies 5a,5b and a belt cover ply 6 formed of circumferentially-oriented cords (Figure 3). The reference further teaches that the axial outer ends of said belt cover ply are spaced from the respective axial outer ends of the outermost belt ply 5b by an amount "b" between 15 and 40 mm (Abstract). Based on this disclosure, one of ordinary skill in the art at the time of the invention would have expected the separation between the ends of

layer 5a and the belt cover ply to be at least 10 mm (belt ends are extremely close to one another).

In regards to radial separation of the respective axial ends, the reference generally depicts the axial ends of the belt cover ply and the belt plies as being relatively close to one another. It is further noted that the claimed quantitative relationship is a function of the tire section height, which varies between types of tires (heavy-load tires and agricultural tires have larger section heights)- this suggests that the claimed quantitative relationship is even more likely to be satisfied in the tire of Mama (especially the case since the separation is defined as an absolute dimension).

Lastly, with respect to the independent claim, Mama is completely silent with respect to the coating rubber of the belt cover ply. Kojima, on the other hand, suggests the use of a coating rubber for belt plies having a loss factor or tangent delta greater than 0 and less than 0.10 in order to eliminate the occurrence of fatigue and deterioration commonly experienced during running (Abstract). In this instance, a fair reading of Kojima suggests that the coating rubber is broadly applicable for all belt plies since the disclosed benefits are equally applicable to the general class of belt plies (working plies and protective plies). Thus, one of ordinary skill in the art at the time of the invention would have found it obvious to use a coating rubber having a loss factor less than 0.1 in the belt cover ply of Mama.

Regarding claims 2 and 10, the claim language is directed to the method in which the belt cover ply is formed and thus does not further define the structure of the claimed tire. Furthermore, it is well recognized that belt cover plies are commonly formed by

partially overlapping adjacent coils (consistent with the conventional structure of belt cover plies).

As to claim 17, Mama is broadly directed to tires for pneumatic vehicles and such would include passenger car tires.

4. Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mama and Kojima as applied in claim 1 above, respectively, and further in view of Mochida (JP 02074403, of record) and Yamamoto (JP 06092108, of record).

As detailed above, Mama in view of Kojima substantially teach the claimed tire construction, including an outermost belt cover ply that extends beyond underlying belt plies. While Mama fails to include a belt edge cushion rubber layer, it is extremely well known to include such a cushion layer in order to eliminate the buildup of stresses in the shoulder region, as shown for example by Mochida (reference character 21- Page 4, 2nd Column) and Yamamoto (Abstract and Figures). It is particularly noted that Mochida and Yamamoto (Figure 1) are directed to an extremely similar tire construction in which an outermost belt cover ply extends beyond underlying belt plies. Absent any conclusive showing of unexpected results, one of ordinary skill in the art at the time of the invention would have found it obvious to include a conventional belt edge cushion rubber layer in the tire of Mama.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mama, Kojima, Mochida, and Yamamoto as applied in claim 3 above and further in view of Motomura (US 5,215,612, of record).

While Mochida provides motivation to include a belt edge cushion rubber in the tire of Mama, the reference is completely silent with respect to the loss factor or tangent delta of the cushion rubber. Motomura, on the other hand, recognizes the known use of rubber compositions having a tan delta between 0.07 and 0.15 for similar belt edge cushion rubber layers (Column 3, Lines 45-55)- such a rubber is recognized as providing suitable reinforcement without generating/accumulating heat. One of ordinary skill in the art at the time of the invention would have found it obvious to use a rubber having a tangent delta below 0.15 to form the cushion rubber of Mama in view of Kojima and Mochida for the reasons detailed above. Lastly, while the tangent delta is recorded at room temperature, those compositions having a tangent delta at the lower end of the range would not be expected to more than double with an increase of 40 degrees Celsius and applicant has not provided a conclusive showing of unexpected results to establish a criticality for the claimed range.

6. Claims 9, 10, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mama and further in view of Yamaguchi (JP 6-344721, newly cited) and Kojima.

As detailed above, Mama substantially teaches the claimed tire construction, including a belt cover ply that extends at least 15 mm beyond the ends of the underlying belt structure. In this instance, the belt design of Mama contributes to, among other things, improved high speed endurance.

Yamaguchi is directed to a similar tire construction having an outermost belt cover ply that extends beyond the ends of an underlying belt structure and is formed of

zero degree reinforcement cords. The reference further suggests the use of cords having different properties in the central region, as compared to each side region, in order to enhance high speed durability. One of ordinary skill in the art at the time of the invention would have found it obvious to adopt such an assembly in the tire of Mama since it is consistent with the advantages desired by Mama. Yamaguchi further teaches that such a belt cover ply can be formed by including a central belt cover ply (analogous to claimed main belt cover section) and a pair of side belt cover plies (analogous to separate belt cover extensions) (Paragraph 12). In this instance, the radially inner ends of the belt extension sections are radially inward of belt ply ends. If applicant desires the tire designs of Figure 5 and 6, it is suggested that applicant amend the claims to require either (a) the axially inner end of the belt cover extension sections be arranged between first and second belt plies or (b) the axially inner end of the belt cover extension sections be arranged radially inward of the first and second belt plies.

Lastly, with respect to claim 9, Mama is completely silent with respect to the coating rubber of the belt cover ply. Kojima, on the other hand, suggests the use of a coating rubber for belt plies having a loss factor or tangent delta greater than 0 and less than 0.10 in order to eliminate the occurrence of fatigue and deterioration commonly experienced during running (Abstract). In this instance, a fair reading of Kojima suggests that the coating rubber is broadly applicable for all belt plies since the disclosed benefits are equally applicable to the general class of belt plies (working plies and protective plies). Thus, one of ordinary skill in the art at the time of the invention

would have found it obvious to use a coating rubber having a loss factor less than 0.1 in the belt cover ply of Mama.

Regarding claim 10, the claim language is directed to the method in which the belt cover ply is formed and thus does not further define the structure of the claimed tire. Furthermore, it is well recognized that belt cover plies are commonly formed by partially overlapping adjacent coils (consistent with the conventional structure of belt cover plies).

With specific respect to claims 19 and 20, at a minimum, the radially inner edges of the belt extension sections are positioned radially inwardly of the respective belt plies and the claims as currently drafted do not require the entire section having the claimed arrangement.

7. Claims 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mama, Yamaguchi, and Kojima as applied in claim 9 above, respectively, and further in view of Mochida and Yamamoto.

As detailed above, Mama, in view of Yamaguchi and Kojima, substantially teaches the claimed tire construction, including an outermost belt cover ply that extends beyond underlying belt plies. While Mama fails to include a belt edge cushion rubber layer, it is extremely well known to include such a cushion layer in order to eliminate the buildup of stresses in the shoulder region, as shown for example by Mochida (reference character 21- Page 4, 2nd Column) and Yamamoto (Abstract and Figures). It is particularly noted that Mochida and Yamamoto (Figure 1) are directed to an extremely similar tire construction in which an outermost belt cover ply extends beyond underlying

belt plies. Absent any conclusive showing of unexpected results, one of ordinary skill in the art at the time of the invention would have found it obvious to include a conventional belt edge cushion rubber layer in the tire of Mama.

8. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mama, Kojima, Mochida, and Yamamoto as applied in claim 11 above and further in view of Motomura.

While Mochida provides motivation to include a belt edge cushion rubber in the tire of Mama, the reference is completely silent with respect to the loss factor or tangent delta of the cushion rubber. Motomura, on the other hand, recognizes the known use of rubber compositions having a tan delta between 0.07 and 0.15 for similar belt edge cushion rubber layers (Column 3, Lines 45-55)- such a rubber is recognized as providing suitable reinforcement without generating/accumulating heat. One of ordinary skill in the art at the time of the invention would have found it obvious to use a rubber having a tangent delta below 0.15 to form the cushion rubber of Mama in view of Kojima and Mochida for the reasons detailed above. Lastly, while the tangent delta is recorded at room temperature, those compositions having a tangent delta at the lower end of the range would not be expected to more than double with an increase of 40 degrees Celsius and applicant has not provided a conclusive showing of unexpected results to establish a criticality for the claimed range.

9. Claims 1, 2, 9, 10, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi and further in view of Kojima.

As best depicted in Figure 1, Yamaguchi teaches a pneumatic tire construction including a pair of belt plies 4 and an outermost belt cover ply 5. The reference further depicts the axially outer ends of said cover ply as being slightly inward (in the radial direction) of the ends of innermost belt ply 4- such a disclosure appears to satisfy the claimed invention in which the radial separation is less than 0.015 times the tire section height. It is emphasized that the respective ends are depicted as being extremely close to one another (in the radial direction) and one of ordinary skill in the art at the time of the invention would have recognized such a disclosure as including embodiments that satisfy the range of the claimed invention.

Regarding the axial separation, Figure 1 clearly depicts such a separation between the respective ends. Given the general disclosure of Yamaguchi, one of ordinary skill in the art at the time of the invention would have found it obvious to use a wide variety of arrangements, including those detailed by the claimed invention. It is further noted that (a) the claims are directed to absolute dimensions and it is well recognized that tire dimensions are highly dependent on tire seizes (larger tires generally have larger dimensions) and (b) the claims define an extremely broad range of separation values. Absent any conclusive showing of unexpected results, one of ordinary skill in the art at the time of the invention would have found it obvious to separate the respective ends by at least 10 mm.

Lastly, with respect to independent claim 1, Yamaguchi is completely silent with respect to the coating rubber of the belt cover ply. Kojima, on the other hand, suggests the use of a coating rubber for belt plies having a loss factor or tangent delta greater

than 0 and less than 0.10 in order to eliminate the occurrence of fatigue and deterioration commonly experienced during running (Abstract). In this instance, a fair reading of Kojima suggests that the coating rubber is broadly applicable for all belt plies, including belt cover plies, since the disclosed benefits are equally applicable to the general class of belt plies (working plies and protective plies). Thus, one of ordinary skill in the art at the time of the invention would have found it obvious to use a coating rubber having a loss factor less than 0.1 in the belt cover ply of Yamaguchi.

Regarding claims 2 and 10, the claim language is directed to the method in which the belt cover ply is formed and thus does not further define the structure of the claimed tire. Furthermore, it is well recognized that belt cover plies are commonly formed by partially overlapping adjacent coils (consistent with the conventional structure of belt cover plies).

With respect to claims 9, 19, and 20, the belt cover ply of Yamaguchi is defined by a main belt cover section having a width Wc and a pair of belt cover extension sections, each having a width Ws. In this instance, a significant length of said extension sections are disposed radially inward of said main belt cover section. If applicant desires the designs of Figure 5 and 6, it is suggested that applicant amend the claims to require either (a) the axially inner end of the belt cover extension sections be arranged between first and second belt plies or (b) the axially inner end of the belt cover extension sections be arranged radially inward of the first and second belt plies. With specific respect to claims 19 and 20, at a minimum, the radially inner edges of the belt extension sections are positioned radially inwardly of the respective belt plies and the

claims as currently drafted do not require the entire section having the claimed arrangement.

As to claims 17 and 18, Yamaguchi is broadly directed to tires for pneumatic vehicles and such would include passenger car tires.

10. Claims 3, 5, 11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi and Kojima as applied in claim 1 above and further in view of Mochida and Yamamoto.

As detailed above, Yamaguchi in view of Kojima substantially teach the claimed tire construction, including an outermost belt cover ply that extends beyond underlying belt plies. While Mama fails to include a belt edge cushion rubber layer, it is extremely well known to include such a cushion layer in order to eliminate the buildup of stresses in the shoulder region, as shown for example by Mochida (reference character 21- Page 4, 2nd Column) and Yamamoto (Abstract and Figures). It is particularly noted that Mochida and Yamamoto (Figure 1) are directed to an extremely similar tire construction in which an outermost belt cover ply extends beyond underlying belt plies. Absent any conclusive showing of unexpected results, one of ordinary skill in the art at the time of the invention would have found it obvious to include a conventional belt edge cushion rubber layer in the tire of Mama.

11. Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi, Kojima, Mochida, and Yamamoto as applied in claim 3 above and further in view of Motomura.

While Mochida and Yamamoto provide motivation to include a belt edge cushion rubber in the tire of Yamaguchi, the reference is completely silent with respect to the loss factor or tangent delta of the cushion rubber. Motomura, on the other hand, recognizes the known use of rubber compositions having a tan delta between 0.07 and 0.15 for similar belt edge cushion rubber layers (Column 3, Lines 45-55)- such a rubber is recognized as providing suitable reinforcement without generating/accumulating heat. One of ordinary skill in the art at the time of the invention would have found it obvious to use a rubber having a tangent delta below 0.15 to form the cushion rubber of Yamaguchi in view of Kojima, Mochida, and Yamamoto for the reasons detailed above. Lastly, while the tangent delta is recorded at room temperature, those compositions having a tangent delta at the lower end of the range would not be expected to more than double with an increase of 40 degrees Celsius and applicant has not provided a conclusive showing of unexpected results to establish a criticality for the claimed range.

12. Claims 1, 6, 8-10, 14, and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Serra (WO 2002/26878, of record) and further in view of Yamaguchi, Mama, and Kojima.

As best depicted in Figure 1, Serra is directed to a pneumatic tire construction comprising a pair of belt plies 106a, 106b, and under tread rubber layer 111, a cap tread rubber layer 111, and a wing chip rubber layer 110. It is further noted Serra suggests the inclusion of a belt cover ply 106c.

While the belt cover ply of Serra is depicted as having an axial extent approximately equal to the width of the underlying belt structure, the reference fails to

place a criticality on the axial extent of the belt cover ply (layer described as being optional). It is well known to arrange the belt cover ply such that it extends beyond the ends of the underlying belt structure in order to ensure complete protection of the underlying belt structure, as shown for example by Yamaguchi and Mama. In particular, the belt cover ply of Mama is described as extending beyond the belt ends by a distance between 15 and 40 mm. It is further noted that Mama suggests that such a construction (for the belt ply) reduces road noise, which would be desirable in all tire constructions. It is emphasized that Serra places no criticality on the axial extent of the belt cover ply and applicant has not provided a conclusive showing of unexpected results.

Also, in such an instance, the ends of the belt cover ply and the underlying belt structure are not separated by a substantial radial distance and one of ordinary skill in the art at the time of the invention would have expected the tire of Serra to satisfy the claimed range, it being noted that the claimed quantitative relationship is a function of the tire section height, which varies between types of tires (heavy-load tires and agricultural tires have larger section heights)- this suggests that the claimed quantitative relationship is even more likely to be satisfied in the tire of Serra.

Lastly, with respect to the independent claim, Serra is completely silent with respect to the coating rubber of the belt cover ply. Kojima, on the other hand, suggests the use of a coating rubber for belt plies having a loss factor or tangent delta greater than 0 and less than 0.10 in order to eliminate the occurrence of fatigue and deterioration commonly experienced during running (Abstract). In this instance, a fair

reading of Kojima suggests that the coating rubber is broadly applicable for all belt plies since the disclosed benefits are equally applicable to the general class of belt plies (working plies and protective plies). Thus, one of ordinary skill in the art at the time of the invention would have found it obvious to use a coating rubber having a loss factor less than 0.1 in the belt cover ply of Serra.

With respect to claims 8 and 16, Serra depicts the radially inner end of the wing chip rubber in the shoulder portion of the tire. Given such a general disclosure, one of ordinary skill in the art at the time of the invention would have readily appreciated a wide variety of embodiments, including those in which respective components are separated by at least 10 mm. It is emphasized that Serra fails to place a criticality on the axial separation and the figures of Serra generally depict a separation that would be expected to be on the order of 10 mm. Lastly, applicant has not provided a conclusive showing of unexpected results to establish a criticality for the claimed separation.

Regarding claims 9, 19, and 20, one of ordinary skill in art at the time of the invention would have found it obvious to form the belt cover ply of Serra with a main center section and a pair of extension sections in view of Yamaguchi. In particular, Yamaguchi suggests a design having such sections in order to enhance high speed durability. It is emphasized that the claims as currently drafted fail to define over the design of Yamaguchi as the radially inner portions of the extension sections are inward of the respective belt plies.

As to claims 17 and 18, Serra is broadly directed to tires for pneumatic vehicles and such would include passenger car tires.

13. Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Serra, Yamaguchi, Mama, and Kojima as applied in claims 6 and 14 respectively and further in view of Kan (US 4,444,236, of record) and Haneda (JP 07257116, of record).

As detailed above, Serra discloses a pneumatic tire construction comprising a cap tread layer and a base tread layer (undertread). While the reference fails to expressly disclose the respective loss factors (tangent delta) for each layer, Kan teaches a similar cap/base assembly and suggests a loss factor relationship in accordance to the claimed invention. In particular, such a construction provides a tire that is balanced in rolling resistance and wet grip (Column 1, Lines 1-20 and Tables 1-3). It is emphasized that each of the inventive cap/base assemblies listed in table 3 satisfies the quantitative relationship of the claimed invention. It is further noted that while the tangent delta is recorded at 30 degrees Celsius, the listed compositions would not be expected to more than double with an increase of 30 degrees Celsius and applicant has not provided a conclusive showing of unexpected results to establish a criticality for the claimed range. Haneda has been further provided to evidence the use of rubber compositions (for wing chip rubber layers) having a relatively low tangent delta in order to reduce the rolling resistance. As such, one of ordinary skill in the art at the time of the invention would have found it obvious to form the wing chip rubber layer and the tread base layer in accordance to the claimed invention.

Response to Arguments

14. Applicant's arguments filed May 8, 2009 have been fully considered but they are not persuasive.

Applicant argues that Mama is silent with respect to any relationship between the vertical separation between the terminal edges of the cover layer and the belt layer. The examiner agrees that the reference fails to expressly disclose such a relationship. However, as detailed above, the reference generally depicts the axial ends of the belt cover ply and the belt plies as being relatively close to one another, which is consistent with the claimed range. Additionally, given the general structure of Mama (slight radial separation), the claimed relationship would be expected to decrease with an increase in tire size, suggesting that said relationship would be even more likely to be satisfied in the tire of Mama. It is emphasized that Mama generally depicts a tire design having a small radial separation and applicant has not provided a conclusive showing of unexpected results to establish a criticality for the claimed relationship.

Applicant further argues that Kojima does not disclose a belt cover ply. The examiner agrees. However, a fair reading of Kojima suggests a rubber composition having a loss tangent below 0.1 in belt plies in general in order to reduce fatigue and deterioration. It is emphasized that a belt cover ply is nothing more than an outermost belt ply (belt structure is combination of working belt plies and protective belt plies).

Regarding Table 1, the experiments are not seen to constitute a **conclusive** showing of unexpected results as the differences between the respective properties are extremely small and within experimental error.

As to claim 17, applicant contends that the claim is directed to a passenger car tire. The examiner's statement regarding larger tires was simply provided to evidence the relationship between an absolute dimension and an increasing tire section height.

The reference more generally depicts a tire assembly in which the respective ends have an extremely small radial separation and said separation, in terms of the claimed quantitative relationship, would decrease with larger tires.

With respect to claims 9, 10, and 18, the claims were erroneously rejected with Mama in the absence of Yamaguchi. The proper rejections have been set forth above.

As to claims 9, 10, and 18 (Mama in view of Yamaguchi), applicant contends that the references fail to disclose or suggest a belt cover ply having a main belt cover section and belt cover extensions separate from the main belt cover section and disposed radially inward and on each side of the main belt cover section. The examiner respectfully disagrees. The tire of Yamaguchi specifically includes a main belt cover section sandwiched between a pair of extension sections, wherein a significant length of said extension sections are radially inward of said main belt cover section. It is suggested that applicant amend the claims to require the axial inner end of said extension sections be positioned between respective belt plies (Figure 5) or radially inward of said belt plies (Figure 6).

Regarding Serra, applicant argues that the reference fails to disclose a radial distance between the terminal edges of the reinforcing layer and the terminal edges of the belt strips. The examiner agrees. However, as detailed above, the claimed arrangement is consistent with common tire designs, as shown for example by Yamaguchi and Mama. It is emphasized that each of these references depicts an extremely small radial separation between the respective belt ends and applicant has not provided a conclusive showing of unexpected results to establish a criticality for the

claimed separation. Also, as detailed above, the design of Yamaguchi can be viewed as including a main belt cover section and a pair of extension sections, wherein the extension sections are radially inward of the working belt plies.

With respect to Yamaguchi, applicant argues that the reference teaches a belt addition reinforcement that is radially outward a belt reinforcing layer. The examiner agrees that such an embodiment is disclosed by Yamaguchi. However, the embodiment depicted in Figure 1 includes a min belt cover section having a width Wc and a pair of extension sections, each having a width Wc. In this instance, the respective sections can be viewed as being "separate" and the radially inner end of the extension portions, at a minimum, are arranged radially inward of the belt ply ends. It is suggested that applicant amend the claims as detailed above.

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Justin R. Fischer** whose telephone number is **(571) 272-1215**. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Justin Fischer
/Justin R Fischer/
Primary Examiner, Art Unit 1791
May 14, 2009